

## HALL COUNTY BOARD OF SUPERVISORS MEETING JANUARY 8, 2008

The Hall County Board of Supervisors met January 8, 2008, by published call in the County Board meeting room, 121 South Pine, Grand Island.

CALL TO ORDER - The meeting was called to order by Chairman Scott Arnold.

INVOCATION - Invocation was given by Robert Rye.

PLEDGE OF ALLEGIANCE – The Pledge of Allegiance was given in unison.

ROLL CALL - Present on roll call were Scott Arnold, Jim Eriksen, Robert Humiston, Bud Jeffries, Pamela Lancaster, Robert Rye and Daniel Wagoner. Also present was Deputy County Attorney Michelle Oldham and a representative from the *Grand Island Independent*.

NOTICE OF OPEN MEETING LAW - Chairman Arnold read the notice of open meeting law.

CONSENT AGENDA – Lancaster made a motion and Jeffries seconded to approve the following by consent agenda:

1. Placed on file the minutes of the December 24, 2007 meeting
2. 14 Approved and placed on file the County Depositories for 2008
3. 16 Approved the designated official county newspapers for 2008
4. 17a Approved the bi weekly pay claims
5. 17b approved the early claim for Preferred Mail in the amount of \$40,000.00
6. 19 Placed on file the office reports of the County Sheriff, County Attorney, County Court and Clerk of the District Court
7. 21 Placed on file the Hall County Treasurer's Miscellaneous Receipts
8. 22 Placed on file communications as received

Arnold, Eriksen, Humiston, Jeffries, Lancaster, Rye and Wagoner all voted yes and none voted no. Motion carried.

### OFFICE REPORT COUNTY COURT DECEMBER 2007

FINES (CO.)	\$ 43,745.19
OVERLOAD FINES	750.00
REIMBURSE SHERIFF FEES	1,328.97
WORK RELEASE FEES	646.00
REIMBURSE FAX COPIES	14.00
FINES (CITY)	7,352.00
REIMBURSE WITNESS FEES	229.00
BOND FORFEITURES	2,594.45
REIMBURSE CO. FEES	265.00
TOTAL	\$ 56,924.61

OFFICE REPORT  
CLERK OF THE DISTRICT COURT  
DECEMBER 2007

COURT COSTS	\$ 2,830.36
10% BOND	950.00
FINES	175.29
PHOTO COPIES	379.50
FAX FEES	36.75
INTEREST	580.23
BOARD OF PRISIONERS	1,079.00
BOND FORFEITURE	90.00
PASSPORT PROCESSING FEE	3,690.00
POSTAGE	13.99

OFFICE REPORT  
HALL COUNTY SHERIFF  
DECEMBER 2007

TOTAL FEES MILEAGE & MISC	\$20,531.92
HANDGUN APPLICATIONS	90.00
TITLE INSPECTIONS	3,590.00
COPIES	30.00

COUNTY CLERK CALLS FOR NOMINATIONS OF 2008 COUNTY BOARD CHAIRMAN  
County Clerk Marla Conley called for nominations of 2008 County Board Chairman.

Pamela Lancaster nominated Bud Jeffries.

County Clerk Marla Conley called for other nominations.

County Clerk Marla Conley called for other nominations.

County Clerk Marla Conley called for other nominations.

No other nominations were received.

Lancaster made a motion and Eriksen seconded to cast a unanimous ballot for Bud Jeffries. Arnold, Eriksen, Humiston, Jeffries, Lancaster, Rye and Wagoner all voted yes and none voted no. Motion carried.

County Clerk Marla Conley called for nominations for the 2008 Vice Chairman of the Hall County Board of Supervisors.

Scott Arnold nominated Pamela Lancaster.

County Clerk Marla Conley called for other nominations.

Jim Eriksen nominated Bob Rye.

County Clerk Marla Conley called for other nominations.

County Clerk Marla Conley called for other nominations.

No other nominations were received, nominations closed.

Ballots were cast and counted by Stacey Ruzicka and Michelle Oldham. Pamela Lancaster received three votes and Bob Rye received four votes.

Bob Rye is the 2008 Hall County Board of Supervisor Vice Chairman.

Bud Jeffries called for a break so the board member could change places and change the voting board.

Chairman Jeffries called the meeting back to order.

Scott Arnold passed the gavel to Bud Jeffries. Bud Jeffries presented a plaque to Scott Arnold thanking him for serving as Chairman for 2007. Arnold stated that the board members all worked well together this past year.

9:10 a.m. to 9:25 a.m. held a board of equalization meeting

9:30 A.M. BID OPENING FOR EMERGENCY MANAGEMENT DISPATCH FURNITURE UNDER HOMELAND SECURITY GRANT – the following bid was received:

Platte Valley Communications            TOTAL BID    \$61,500.00  
Grand Island, NE

Arnold made a motion and Lancaster seconded to refer the bid to the Emergency Management committee and they will come back with a recommendation today. The dollars for this project are from a grant. Arnold, Eriksen, Humiston, Jeffries, Lancaster, Rye and Wagoner all voted yes and none voted no. Motion carried.

PUBLIC WORKS – APPROVE DIESEL FUEL CLAIM – Rye made a motion and Eriksen seconded to approve the diesel fuel tax claim in the amount of \$1,805.00. Arnold, Eriksen, Humiston, Jeffries, Lancaster, Rye and Wagoner all voted yes and none voted no. Motion carried.

PUBLIC PARTICIPATION – Chairman Jeffries called for public participation and Diane Muhlbach, 18766 West Old Potash Highway, Shelton, Nebraska came forward. She stated she had question regarding Bellamy Subdivision. The board requested that she come forward when the public hearing was opened.

9:45 A.M. PUBLIC HEARING FOR FINAL DEVELOPMENT PLAN FOR BELLAMY SECOND SUBDIVISION - Arnold made a motion and Humiston seconded to open the public hearing regarding Bellamy Second Subdivision. Arnold, Eriksen, Humiston, Jeffries, Lancaster, Rye and Wagoner all voted yes and none voted no. Motion carried.

Regional Planning Director Chad Nabity was present he explained that the preliminary plat for Bellamy Subdivision was approved in May of 2005. This subdivision is located 1 mile east of Cairo on Highway #2. The first 5 lots were included in this preliminary subdivision. The lots are 1 ½ acre to 2 acres and the lots will have septic systems. The road in the subdivision is a private road that is to be maintained by the owners. The final plat was approved unanimously by the Regional Planning Commission. Discussion was held on the size of the road and Mr. Nabity stated that it does not meet county specs but the box culvert will meet specifications. This property has natural drainage because of a creek that runs through the property.

Eriksen stated that the septic systems are approved by the state. He questioned if with the addition of the homes and paving there would be an issue with drainage? Mr. Nabity stated that the City has codes regarding storm sewer drainage but the county does not and the storm drainage could be an issue in the future.

Chairman Jeffries called for public participation.

Diane Muhlbach, 18766 Old Potash Highway, Shelton, Nebraska requested to address the board. She stated that she is involved in a family subdivision and questioned who supervises the pavement, storm sewer and septic systems to make sure they meet specifications.

Mr. Nabity stated that the infrastructure is the responsibility of the developer and the County Highway Superintendent reviews the plans and they are approved by an engineer and the developer pays these fees. The septic systems are installed by the

home owners and have to be approved by a state licensed plumber. On the plat there is an easement for septic systems and there is enough space for the original system and a replacement system.

Jeffries stated that the regulations for septic systems are state regulations and the owner of the property has to have a licensed plumber do the installation.

Chairman Jeffries called for public participation and no one responded.

Arnold made a motion and Lancaster seconded to close the public hearing. Arnold, Eriksen, Humiston, Jeffries, Lancaster, Rye and Wagoner all voted yes and none voted no. Motion carried.

Lancaster made a motion and Wagoner seconded to approve Resolution #08-001 for the final plat for Bellamy Second Subdivision. Arnold, Eriksen, Humiston, Jeffries, Lancaster, Rye and Wagoner all voted yes and none voted no. Motion carried.

### **RESOLUTION #08-\_\_01\_\_**

#### **A RESOLUTION APPROVING THE FINAL DEVELOPMENT PLAN AND THE FINAL PLAT FOR A PLANNED UNIT DEVELOPMENT (PUD) ON A TRACT OF PROPERTY LOCATED IN THE NORTHWEST QUARTER (NW ¼) SECTION TWENTY-THREE (23) IN TOWNSHIP TWELVE (12) NORTH, RANGE TWELVE (12) WEST OF THE 6<sup>th</sup> P.M., HALL COUNTY, NEBRASKA**

WHEREAS, John P. and Bonnie S. Bellamy, hereinafter referred to as “Applicant,” are the owners of a tract of land located in the Northwest Quarter (NW ¼) Section Twenty-Three (23), of the Township Twelve (12) North, Range Twelve (12) West of the 6<sup>th</sup> p.m., Hall County, Nebraska, more particularly described as Outlot D of Bellamy’s Subdivision; and

WHEREAS, the aforesaid tract is located within the zoning jurisdiction of Hall County; and

WHEREAS, the Hall County Comprehensive Plan allows for the development of Planned Unit Developments (PUD’s) in the Agricultural areas of the County, and

WHEREAS, a preliminary development plan and preliminary plat has been submitted in accordance with the Hall County Zoning Regulations, and

WHEREAS, the Hall County Board of Supervisors has conducted a public hearing on this application, and

WHEREAS, the Hall County Regional Planning Commission held a public hearing at their meeting on and recommended approval of the final plan and final plat of the second phase of this development at their meeting on December 5, 2007 with the following findings:

- *Consistent with the approved preliminary development plan and preliminary plat as approved in 2005:* The Planning Commission and County Board approved this development in 2005 and this is the second and final phase of the planned development.

WHEREAS, the Hall County Board of Supervisors expected the applicant to make further application for approval of final development plans and the final plat of the Bellamy Subdivision,

NOW BE IT RESOLVED that the Hall County Board of Supervisors consents to and approves of the Second and Final Phase of development plan for Bellamy Subdivision and amends the Hall County Zoning Map to include this final phase, in addition the Hall County Board of Supervisors consents to and approves the subdivision plat and subdivision agreement for Bellamy's Second Subdivision.

Resolution moved by Supervisor Pamela Lancaster.

Seconded by Supervisor Daniel Wagoner.

Vote:

Supervisor: Arnold	For <u>x</u> ; Against <u>  </u> ; Abstained <u>  </u> ; Not Present <u>  </u> .
Supervisor: Eriksen	For <u>x</u> ; Against <u>  </u> ; Abstained <u>  </u> ; Not Present <u>  </u> .
Supervisor: Wagoner	For <u>x</u> ; Against <u>  </u> ; Abstained <u>  </u> ; Not Present <u>  </u> .
Supervisor: Humiston	For <u>x</u> ; Against <u>  </u> ; Abstained <u>  </u> ; Not Present <u>  </u> .
Supervisor: Jeffries	For <u>x</u> ; Against <u>  </u> ; Abstained <u>  </u> ; Not Present <u>  </u> .
Supervisor: Lancaster	For <u>x</u> ; Against <u>  </u> ; Abstained <u>  </u> ; Not Present <u>  </u> .
Supervisor: Rye	For <u>x</u> ; Against <u>  </u> ; Abstained <u>  </u> ; Not Present <u>  </u> .

PASSED AND ADOPTED THIS 8 DAY OF JANUARY, 2008.

HALL COUNTY BOARD OF  
SUPERVISORS

s/ Bud Jeffries  
Chairman of the Board  
of Supervisors

s/Marla J. Conley  
Marla J. Conley, Hall County Clerk

Prepared by:  
Michelle Oldham  
Deputy Hall County Attorney

10:00 A.M. BID OPENING FOR OFFICE FURNITURE FOR CORRECTION FACILITY –  
The following bid was received:

BIDDER	TOTAL BID
Eakes Office Equipment	
Grand Island, NE	\$149,559.00

Arnold made a motion and Lancaster seconded to refer this to the correction committee for review and come back with a recommendation. Arnold, Eriksen, Humiston, Jeffries, Lancaster, Rye and Wagoner all voted yes and none voted no. Motion carried.

EMERGENCY MANAGEMENT BID OPENING – Emergency Management Director Jon Rosenlund stated that this bid is in addition to the radio equipment. The total grant was for \$316,400.00 and with the purchase of the dispatch furnished it will be about \$400.00 over the total grant and he stated that he could find those extra funds. His recommendation was to accept the bid.

Arnold made a motion and Rye seconded to accept the bid from Platte Valley Communications in the amount of \$61,500.00. Mr. Rosenlund stated that Larry Schmidt started this process two years ago to make the changes and apply for the grant funding. Arnold, Eriksen, Humiston, Jeffries, Lancaster, Rye and Wagoner all voted yes and none voted no. Motion carried.

10:05 a.m. to 10:40 a.m. held a board of corrections meeting

Chairman Jeffries recessed the meeting to review the bids for the corrections furniture.

10:50 a.m. returned to regular session

BID OPENING CORRECTIONS FURNISHINGS- The corrections committee reviewed the bids.

Arnold made a motion and Lancaster seconded to accept the bid from Eakes Office Equipment in the amount of \$149,559.00.

Eriksen questioned if the total of this bid was the right amount. The total of this bid was close to the amount that was included in the proposal from the architects and this bid also includes the partitions. This will also furnish the area that ICE will be using but the cost will be recouped from them in the lease agreement for the space.

The vote on the motion to accept the bid was taken. Arnold, Eriksen, Humiston, Jeffries, Lancaster, Rye and Wagoner all voted yes and none voted no. Motion carried.

10. AUDIT COMMITTEE RECOMMENDATION DISCUSS AND APPROVE  
RESOLUTION PROVIDING FOR SEPARATE BUDGET FOR JUVENILE ATTENTION  
CENTER FOR FISCAL YEAR 2007 – 2008 – Lancaster stated that the audit committee has reviewed this and she appreciates the fact that this proposal will allow sworn officers to be back on the street instead of holding juveniles that have been detained. There are some concerns in the proposed budget and the criminal justice committee would like to authorize the County Sheriff to go ahead with the training and take the cost from the line item in miscellaneous general but they would like to return this to the committee for more

consideration. The county will have addition cost when the new safety center opens and they want to reconsider this.

Lancaster made a motion and Rye seconded to refer this to the criminal justice committee for further consideration and look for additional funding sources.

Wagoner stated that they would like to see an interlocal agreement and also see of some of the costs could be charged back to the juveniles or other agencies that are involved. The City and the County need to discuss this.

Eriksen stated that there isn't any objection to the resolution as set forth but there are concerns relative to the budget and the cost. This needs to be resolved as quickly as possible and they propose to meet next week.

The vote on the motion to refer this to the criminal justice committee was taken. Arnold, Eriksen, Humiston, Jeffries, Lancaster, Rye and Wagoner all voted yes and none voted no. Motion carried.

Lancaster made a motion and Wagoner seconded to pay any training cost for the juvenile attention center from the line item in miscellaneous general. The claims will be approved by the board. Arnold, Eriksen, Humiston, Jeffries, Lancaster, Rye and Wagoner all voted yes and none voted no. Motion carried.

**11. FACILITY COMMITTEE RECOMMENDATION TO AUTHORIZE THE CHAIR TO SIGN THE SKID STEER LEASE AGREEMENT WITH NEBRASKA MACHINERY –** The committee requested to post pone this issue.

Arnold made a motion and Eriksen seconded to postpone this issue for two weeks. Arnold, Eriksen, Humiston, Jeffries, Lancaster, Rye and Wagoner all voted yes and none voted no. Motion carried.

**12 DISCUSS AND TAKE ACTION REGARDING COURT HOUSE REMODELING PROJECT -** The committee has been meeting with the Judges and the other county personnel regarding this project. Vic Aufdemberge was hired to proceed with the schematic design.

They are looking at the court room for the new Judge and addressing additional issues on the plans. They are also designating areas in the safety center for the corrections department, the Clerk of District Court and areas for the deputies for the courthouse security. They have been looking at the two buildings together and have developed a "plan of action" up through February 5, 2008. They are requesting today that the board agree on the schematic design and approve where the various department will be located.

Lancaster stated that the Clerk of the District Court is addressing the storage that will be needed and she is to come back with the total square footage, some of the storage needed may be off site. There is also discussion to move the passport office back in the Clerk of the District Courts office. The new court room would be located in the area currently occupied by the Clerk of the District Court. The renovations for county court would be determined in the future. She stated that the committee would like to have this plan approved. They would need an architect to address the court room design but



hope and the building and grounds department would be able to take care of some of the remodeling projects.

Eriksen made a motion and Arnold seconded to accept the proposed Court House and Safety Center facilities project as presented in the plan of action.

Lancaster stated that the time line for this project has not been approved by the committee at this time. The committee made sure that the people that are directly affected are supportive of this process and she stated that she feels everyone is satisfied at this time.

Wagoner also noted that Judge Wright is satisfied.

The vote on the motion to accept the proposed Court House Remodeling project was taken. Arnold, Eriksen, Humiston, Jeffries, Lancaster, Rye and Wagoner all voted yes and none voted no. Motion carried.

15 REGIONAL PLANNING COMMUNICATIONS – Arnold made a motion and Lancaster seconded to place the communications from Regional Planning on file. Arnold, Eriksen, Humiston, Jeffries, Lancaster, Rye and Wagoner all voted yes and none voted no. Motion carried.

20 DISCUSS AND APPROVE BOARD MEETING DATES FOR UP COMING YEAR – The regular board meeting in November will fall on Veterans Day and it is a federal holiday. The board will need to reschedule this for Monday or Wednesday. This would also affect the Board of Corrections meeting scheduled for that day.

Lancaster made a motion and Wagoner seconded to set the first board meeting in November on Monday November 10, 2008 and to approve the dates as listed.

Lancaster noted that when Douglass County adjourns for the year they just authorize the County Clerk to pay the salary claims.

Discussion was held on closing for Christmas Eve. Board Assistant Stacy Ruzicka stated that closing for Christmas Eve is addressed in the County Employees Handbook.

The vote on the motion to approve the meeting dates was taken. Arnold, Eriksen, Humiston, Jeffries, Lancaster, Rye and Wagoner all voted yes and none voted no. Motion carried.

18 EXECUTIVE SESSION PERFORMANCE EVALUATION – Lancaster made a motion and Arnold seconded to go into executive session regarding a performance evaluation. Arnold, Eriksen, Humiston, Jeffries, Lancaster, Rye and Wagoner all voted yes and none voted no. Motion carried.

11:25 a.m. executive session

11:28 a.m. Lancaster made a motion and Arnold seconded to go out of executive session. Arnold, Eriksen, Humiston, Jeffries, Lancaster, Rye and Wagoner all voted yes and none voted no. Motion carried.

Chairman Jeffries stated that the during the executive session no other matter was discussed except the item as noted on the agenda and no votes or action was taken during the executive session.

Arnold made a motion and Eriksen seconded to refer this to the personal committee to present to the employee. Arnold, Eriksen, Humiston, Jeffries, Lancaster, Rye and Wagoner all voted yes and none voted no. Motion carried.

COMMITTEE OR BOARD MEMBER REPORTS - Eriksen reported that once the proposed business plans for the CAAP ground are received they will be reviewed and the Reuse Committee will meet Monday January 21, 2008 to review them and decide if any action is to be taken. The committee will then make a recommendation to the full board for the January 22, 2008 meeting.

NEW OR UNFINISHED BUSINESS – Chairman Jeffries called for new or unfinished business and no one responded.

He requested that the board members turn in their request for committee assignments so he and Bob Rye can make the committee assignments.

Meeting recessed at 11:33 a.m. for the jail tour. The meeting will adjourn after the tour.

Board members attending the jail tour will be Scott Arnold, Jim Eriksen, Bob Humiston, Bud Jeffries, Pamela Lancaster, Bob Rye and Daniel Wagoner.

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Marla J. Conley Hall County Clerk